



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

In the Matter of Marc Wartenberg,
Network Administrator 1 (M0085B),
Ewing

Examination Appeal

CSC Docket No. 2021-1326

ISSUED: SEPTEMBER 7, 2021 (SLK)

Marc Wartenberg appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the education requirements for the open competitive examination for Network Administrator 1 (M0085B), Ewing.

The closing date for the subject examination was February 4, 2020. The education requirements were a Bachelor's degree which must have included a minimum of 18 semester hour credits in mathematics and/or computer science. Evidence of formal training in Computer Science/Information Technology received at an accredited institution could be uploaded with an application for evaluation by this agency for possible credit. These training courses were to be examined to see how they compare, both in hours/content, to college course to which they equate, with 16 training hours being equal to one college credit. In-house training courses were not to be accepted as meeting this criteria. The experience requirements were three years of experience in the development, implementation, and maintenance of multi-network, multi-user Local Area Networks (LAN), Metropolitan Area Networks (MAN) and/or Wide Area Networks (WAN) environments. Applicant who did not possess a Bachelor's degree, but possessed the 18 semester hour credits could substitute additional experience on a year-for-year basis with 30 semester hour credits being equal to one year of experience. A total of eight individuals applied and

two were found eligible. No certifications have been issued yet and the list expires on March 10, 2024.

On the appellant's application, he indicated that he possessed a Doctor of Chiropractic degree and he was a Microsoft Certified Systems Administrator, a Microsoft Certified Professional, a Microsoft Certified Systems Engineer, and had a CompTIA Certified Network + certification. Additionally, he indicated that he was an Information Technology Specialist with the Division of Developmental Disabilities from April 4, 2005 to the February 4, 2020 closing date¹ and an 8 hour per week Chiropractor for Honor Chiropractic from September 1995 to September 2019. Agency Services credited the appellant with having over 10 years of the required experience, but determined that he lacked the required number of college credits in mathematics and/or computer science.

On appeal, the appellant encloses detailed course work involved in obtaining his Microsoft Certified System Engineer and CompTIA Network + certifications. He contends that these certifications are necessary for any Network Administrator position. The appellant describes these certifications in more detail and how these certifications provide him the training to perform the required duties for the subject title. He highlights that he has over 30 years of computing experience, including 16 years with the Division of Developmental Disabilities, which has him working closely with other Network Administrators in maintaining, planning, upgrading and monitoring servers. The appellant states that in his position with the Division of Developmental Disabilities, he provides help desk support, training on all Microsoft software, maintains Active Directory accounts, installs, maintains and upgrades all computers and software, diagnoses and repairs network equipment, such as servers, desktops, and printers, sets up e-mail accounts for all new users and works closely with the e-mail migration team. Additionally, he indicates that he works with his immediate supervisor to update and write new policies and procedures for the Management Information Systems department. The appellant submits *In the Matter of Marc Wartenberg* (CSC, decided July 31, 2019) which he asserts indicates that the Civil Service Commission (Commission) acknowledged that he met the qualifications for the subject title. He argues that based on his over 300 college credits and his experience, he is qualified for a position in the subject title.

CONCLUSION

N.J.A.C. 4A:4-2.3(b)2 requires applicants to possess all the requirements specified in an announcement for an open competitive examination by the closing

¹ Personnel records indicate that the appellant was a Senior Technician, Manager Information Systems from July 2012 to October 2019, a Technician, Management Information System from April 2007 to July 2012, a Technical Assistant, Management Information Systems from November 2005 to April 2007, and a Fiscal CWA from April 2005 to November 2005.

date. Further, *N.J.A.C.* 4A:1-1.2(c) states that the Commission may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

Initially, Agency Services correctly determined that the appellant was not eligible for the subject examination as he does not indicate that he possesses any college credits in mathematics and/or computer science. It is noted that *Wartenberg, supra*, did not indicate that he met the eligibility requirements for that Network Administrator examination. Instead, the decision indicated that under the circumstances for that examination, the rules should be relaxed, and he should be admitted to that examination. The decision further noted that the decision did not provide precedent in any other matter.

However, on appeal, the appellant describes how his various computer network related certifications relate to the duties of the subject title. Additionally, the appellant's over 10 years of experience performing the required duties while working for the Division of Developmental Disabilities greatly exceeds the experience requirements for the subject examination. Further, the list is incomplete as there is only two eligibles on the list. Moreover, the Commission notes that the dual purpose of the Civil Service system is to ensure efficient public service for State and local governments and to provide appointment and advancement opportunities to Civil Service employees based on their merit and abilities. These interests are best served when more, rather than fewer, individuals are presented with employment opportunities. *See Communications Workers of America v. New Jersey Department of Personnel*, 154 *N.J.* 121 (1998). In this regard, the Commission is satisfied that the appellant's various computer networking certifications are sufficient to fulfill the education requirements for the examination. Accordingly, good cause is established to relax the provisions of *N.J.A.C.* 4A:4-2.3(b)2 and admit the appellant to the subject examination.

This determination is limited to the instant matter and does not provide precedent in any other matter.

ORDER

Therefore, it is ordered that the appeal be granted, and Marc Wartenberg's application be processed for prospective employment opportunities only.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 1ST DAY OF SEPTEMBER, 2021

Deirdre' L. Webster Cobb

Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Allison Chris Myers
Director
Division of Appeals
and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312

c: Marc Wartenberg
James McManimon
Division of Agency Services
Records Center